



17691 U.S. PTO
031704

PATENT
ATTORNEY DOCKET NO.: 044574-5078-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION

U.S. Patent and Trademark Office
Arlington, VA 22202

22859 U.S. PTO
10/801550
031704

PRIOR APPLICATION: Examiner: David T. Fox
Group Art Unit: 1638

DIVISIONAL PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a Divisional patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/794,384, filed on February 28, 2001, of:

Inventors: Stephen L. DELLAPORTA and Maria A. MORENO

For: METHODS AND COMPOSITIONS TO REDUCE OR ELIMINATE
TRANSMISSION OF A TRANSGENE

2. The papers enclosed are as follows:

66 Page(s) of specification including
7 Page(s) of claims
1 Page of abstract
5 Sheet(s) of drawings
10 Page(s) of Sequence Listing

3. Oath or Declaration

☒ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

4. Assignment

☒ The prior application is assigned of record to Yale University, recorded July 19, 2001 at Reel/Frame 012006/0177.

5. Small entity status

☒ Applicant(s) hereby assert(s) small entity status under 37 C.F.R. § 1.27.

17691 U.S. PTO
031704

Fee Calculation (37 C.F.R. § 1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$770.00 Design \$385.00
			BASIC FEE	\$770.00
Total Claims (37 C.F.R. § 1.16(c))	47 - 20 =	27	\$18.00	\$486.00
Independent Claims (37 C.F.R. § 1.16(b))	5 - 3 =	2	\$86.00	\$172.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$290.00	\$290.00
			SUB-TOTAL =	\$1,718.00
			Reduction by 1/2 for filing by a small entity	\$859.00
			TOTAL FILING FEE =	\$859.00

7. Fee Payment

- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of \$859.00.

8. ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §' 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

9. Additional papers enclosed:

- ☒ Preliminary Amendment
☒ Information Disclosure Statement
☒ Form PTO-1449
☒ Request to Transfer Sequence Listing
☒ Copy of Statement Accompanying Sequence Listing previously filed w/ parent application
☒ Paper copy of Sequence Listing

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:



Erich E. Veitenheimer
Reg. No. 40,420

Dated: March 17, 2004

Customer No. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
202-739-3000